

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALLEN R. WILLIAMS,

Defendant.

No. CR 10-4083-1-MWB

**OPINION AND ORDER
REGARDING DEFENDANT'S
MOTION UNDER 18 U.S.C.
§ 3582(c)(2) TO REDUCE SENTENCE
BASED ON THE FAIR
SENTENCING ACT**

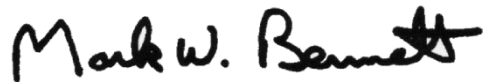
This case is before me on defendant Allen R. Williams's *pro se* June 18, 2018, Motion Under 18 U.S.C. § 3582(c)(2) To Reduce Sentence Based On The Fair Sentencing Act. Williams was sentenced on June 1, 2011, to 360 months of imprisonment as a career offender on his convictions on five drug-trafficking offenses involving crack cocaine. Williams now seeks a reduction of his sentence pursuant to 18 U.S.C. § 3582(c)(2) on the ground that “the Fair Sentencing Act of 2010 altered the regime governing mandatory sentences for crack cocaine offenses, that lower ‘career offender’ guideline range under § 4B1.1.”

Unfortunately for Williams, in *United States v. Harris*, 688 F.3d 950, 953–55 (8th Cir. 2012), the Eighth Circuit Court of Appeals held that a defendant convicted of a crack cocaine offense and sentenced as a career offender, even when granted a downward variance from his guidelines range, is ineligible for such § 3582(c)(2) relief. *See also United States v. Reeves*, 717 F.3d 647, 650 (8th Cir. 2013). Thus, Williams is not entitled to the relief he seeks.

THEREFORE, defendant Allen R. Williams's *pro se* June 18, 2018, Motion Under 18 U.S.C. § 3582(c)(2) To Reduce Sentence Based On The Fair Sentencing Act (docket no. 580) is **denied**.

IT IS SO ORDERED.

DATED this 23rd day of July, 2018.

A handwritten signature in black ink that reads "Mark W. Bennett". The signature is written in a cursive, slightly stylized font.

MARK W. BENNETT
U.S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA